

Appendix B

Draft Amendment Language for the Fishery Management Plan for Groundfish of the Gulf of Alaska, Implementing Alternative 2 and Options A and B

Section 1, first paragraph is revised to read as follows:

This Fishery Management Plan (FMP) has been developed by the North Pacific Fishery Management Council for the groundfish fishery (excluding halibut) of the Gulf of Alaska. In 1978 it replaced the Preliminary Fishery Management Plan for the management of groundfish in the Gulf of Alaska. Since then, the FMP has been amended over sixty times.

Section 2 is revised as follows:

1. Delete definitions for Domestic annual harvest (DAH), Domestic annual processed catch (DAP), Joint venture processed catch (JVP), and Total allowable level of foreign fishing (TALFF).
2. Revise the definitions of Prohibited Species Catch (PSC) and Total allowable catch (TAC) as follows:

Prohibited Species Catch (PSC) is nonretainable catch. It can take the form of a prohibited or nongroundfish species and/or as a fully utilized groundfish species captured incidentally in groundfish fisheries. Such catch must be recorded and returned to sea with a minimum of injury except as provided in the Prohibited Species Donation Program. A PSC limit is an apportioned, nonretainable amount of fish provided to a fishery for bycatch purposes.

Total allowable catch (TAC) is the harvest quota for a species or species group; the retainable catch. TAC will be apportioned by area.

Section 3 is revised as follows:

1. In the section titled Areas and Stocks Involved, (2) is revised to read as follows:

(2) To all fisheries for all finfish, except salmon, steelhead, halibut, herring, and tuna. Harvest allocations and management are based on the calendar year.
2. The fourth paragraph is revised to read as follows:

Diversity of commercial bottomfish species in the Gulf of Alaska is intermediate between the Bering Sea, where fewer species occur, and the Washington-California region, where more species are present. The most diverse species in the Gulf of Alaska is the rockfish group (genus Sebastes), of which 30 species have been identified in this area. Several species of rockfish have been of significant commercial interest, including the Pacific ocean perch (S. alutus), shortraker rockfish (S. borealis), rougheye rockfish (S. aleutianus), dusky rockfish (S. ciliatus), northern rockfish (S.

polyspinus), and yelloweye rockfish (S. ruberrimus). Pacific ocean perch was the subject of a substantial foreign and domestic trawl fishery from the 1960's through mid-1980's. Although Pacific ocean perch is found throughout the Gulf, the biomass and fishery have been concentrated in the Eastern Area. For management purposes rockfish are classified into three distinct assemblages that are based on their habitat and distribution. These assemblages are:

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Section 4 is modified as follows:

1. Add the following paragraph to the end of Section 4.1.

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The groundfish resources off Alaska have been harvested and processed entirely by U. S.-flagged vessels since 1991. Conservation and management measures contained in this FMP apply exclusively to domestic fishing activities. No portion of the annual optimal yield is allocated to foreign harvesters or foreign processors.

2. Section 4.2.1 is revised as follows:

- a. Revise the first paragraph to read as follows:

A procedure has been developed whereby the Council can set annual harvest levels by specifying a total allowable catch (TAC) for each groundfish fishery on an annual basis. The procedure consists of six steps:

- b. Delete paragraph (6)

- c. Renumber paragraph (7) to (6).

- d. In the paragraph following the new (6), the last sentence is revised to read as follows:

Similarly, the attainment of a PSC limit will result in the closure of the appropriate fishery.

- e. Section 4.2.1.1 is revised to read as follows:

The Secretary, after receiving recommendations from the Council, will determine TACs and apportionments thereof for each target species and the "other species" category by January 1 of the new fishing year, or as soon as practicable thereafter, by means of regulations implementing the FMP. Notwithstanding designated target species and species groups listed in Section 3.1, the Council may recommend splitting or combining species in the target species category for purposes of establishing a new TAC if such action is desirable based on commercial importance of a species or species group and whether sufficient biological information is available to manage a species or species group on its own merits.

Prior to making recommendations to the Secretary, the Council will make available to the public for comment as soon as practicable after its February meeting, a preliminary Stock Assessment and Fishery Evaluation (SAFE) report and preliminary specifications of ABC and TAC for each target species and the “other species” category, and apportionments thereof. At a minimum the SAFE report will contain information listed in Section 4.2.1.4.

At its April meeting, the Council will review the final SAFE report and comments received. The Council will then make final recommendations to the Secretary.

f. Delete section 4.2.1.3.

g. Renumber section 4.2.1.4 to 4.2.1.3.

h. In the new 4.2.1.3, revised (7) to read as follows:

(7) Information to be used by the Council in establishing prohibited species catch limits (PSCs) for Pacific halibut with supporting justification and rationale.

i. Delete section 4.2.1.5.

3. Delete Section 4.2.2

4. Renumber Section 4.2.3 to 4.2.2., revise the new 4.2.2 as follows:

a. Revise the section reference in the third paragraph from 4.2.3.1 to 4.2.2.1.

b. Revise paragraph 5 as follows:

When a PSC limit is reached, further fishing with specific types of gear or modes of operation during the year is prohibited in an area by those who take their PSC limit in that area. All other users and gear would remain unaffected.

c. Delete paragraph 6.

d. Delete the first sentence of paragraph 7.

e. Renumber paragraph 4.2.3.1 to 4.2.2.1.

f. Revise the section reference in the introductory paragraph of the new 4.2.2.1 from 4.2.3 to 4.2.2.

g. In the new Section 4.2.2.1, delete (3) and revise (1) through the new (5) as follows:

(1) Prior to the February Council Meeting. The Plan Team will prepare for the Council a preliminary Stock Assessment and Fishery Evaluation (SAFE) report under Section 4.2.1 which provides the best available information on estimated halibut bycatch and mortality rates in the target groundfish fisheries, halibut PSCs limits, apportionments and catches thereof by target fisheries and gear types for the previous fishing year.

(2) February Council Meeting. While setting preliminary groundfish harvest levels under Section 4.2.1, the Council will also review the need to control the bycatch of halibut and will, if necessary, recommend preliminary halibut PSC mortality limits (PSCs) and apportionments thereof. The Council will also review the need for seasonal allocations of the halibut PSCs.

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(3) Prior to the April Council Meeting. The Plan Team will prepare for the Council a final SAFE report under Section 4.2.1 which provides the best available information on estimated halibut bycatch rates in the target groundfish fisheries.

(4) April Council Meeting. While recommending final groundfish harvest levels, the Council reviews public comments, takes public testimony, and makes final decisions on annual halibut PSC limits and seasonal allocations, using the same factors (6) through (14) concerning PSC limits, and the same factors, (1) through (7), concerning seasonal allocations of the PSC limits. The Council will recommend its decisions, including no change for the new fishing year, to the Secretary of Commerce for implementation.

(5) As soon as practicable after the Council's April meeting, the Secretary will publish the Council's final decisions as proposed harvest specifications in the Federal Register. Information on which the final recommendations are based will also be published in the Federal Register or otherwise made available by the Council.

5. Renumber section 4.2.4 to 4.2.3. Revise the section reference in the paragraph from 4.2.3.1 to 4.2.2.1.
6. Renumber section 4.2.5 to 4.2.4.
7. Renumber section 4.2.6 to 4.2.5.
8. Delete the title to section 4.3.1
9. Renumber section 4.3.1.1 to section 4.3.1.
10. Renumber section 4.3.1.2 to section 4.3.2
11. Renumber section 4.3.1.2.1 to section 4.3.2.1.

12. Renumber section 4.3.1.2 .2 to section 4.3.2.2.
13. Renumber section 4.3.1.2.3 to section 4.3.2.3
14. Renumber section 4.3.1.3 to section 4.3.3
15. In the new section 4.3.3, delete the fourth paragraph titled Information on processing expectations.
16. Renumber section 4.3.1.4 to section 4.3.4
17. Renumber section 4.3.1.5 to section 4.3.5.
18. Renumber section 4.3.1.6 to section 4.3.6.
19. Renumber section 4.3.1.6.1 to section 4.3.6.1
20. Renumber section 4.3.1.6.2 to section 4.3.6.2.
21. Renumber section 4.3.1.6.3 to section 4.3.6.3.
22. Renumber section 4.3.1.6.4 to section 4.3.6.4.
23. Renumber section 4.3.1.7 to section 4.3.7.
24. Delete section 4.3.2
25. Renumber section 4.3.3 to section 4.3.8.
26. Renumber section 4.3.4. to section 4.3.9.
27. Renumber section 4.3.4.1 to section 4.3.9.1.
28. Renumber section 4.3.4.2 to section 4.3.9.2.
29. Renumber section 4.3.4.3 to section 4.3.9.3.
30. Delete table 4.4 and figures 4.2 and 4.3.